

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LIBRADO F. VILLARREAL, JR.,)	CASE NO. 4:06CV3137
)	
Plaintiff,)	
)	
v.)	MEMORANDUM AND ORDER
)	
JO ANNE B. BARNHART,)	
Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	

The Court has considered the Defendant's Motion to Remand and the suggestions made in the supporting brief (Filing Nos. 19 and 20). I find that the matter should be remanded pursuant to sentence four of section 205(g), 42 U.S.C. § 405(g), so that the Plaintiff's complete a nine-page interrogatory may be included in the record; and so that the administrative hearing may be reopened. At the new hearing, Plaintiff shall be permitted to testify as to his limitations and symptoms; and updated medical information, including opinions from the Plaintiff's treating physician(s), shall be obtained and reconsidered. The ALJ shall reconsider the evidence and reassess Plaintiff's credibility. On remand, the Commissioner may also confirm and coordinate the benefits that Plaintiff was awarded beginning August 25, 2006, pursuant to Title XVI.

IT IS ORDERED:

1. The decision of the ALJ is reversed;
2. The Motion to Remand (Filing No. 19) is granted;
3. This case is remanded back to the Commissioner in accord with sentence four of section 205(g), 42 U.S.C. § 405(g), for the reasons set forth herein;
4. A separate judgment shall be entered.

Dated this 26th day of January, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge